

**Notice of Allowability**

Application No.

09/684,628

Applicant(s)

MCBRIDE ET AL.

Examiner

Julian W. Woo

Art Unit

3731

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment of 6/1/04.
2. ☒ The allowed claim(s) is/are 1-12, 14-32, 36, 39-56, 59-67, 69-84, 86-98, and 286.
3. ☒ The drawings filed on 10/6/00 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☒ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☒ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☒ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in telephone interviews with Beth Vrioni, Reg. No. 38,869, on August 4, 10, and 11, 2004.

2. The application has been amended as follows:

In claim 1, line 7, after "and," insert --a drive tool that activates the cam system, the drive tool having--.

In claim 14, lines 1 and 2, delete "further comprising a drive tool that activates the cam system, and--"

In claim 23, line 1, delete "a connector." After line 2 and after "comprising:" insert a new paragraph: --a connector, --. In lines 5 and 6, delete "wherein the cam system is angulated within the transverse connector substantially perpendicular to a longitudinal axis of the transverse connector" and insert --and a drive tool used to rotate the cam system, wherein a position of the drive tool relative to the elongated member indicates if the connector has been coupled to the elongated member--.

In claim 29, line 2, delete "transverse."

In claim 39, delete "37" and insert --23--.

In claim 42, line 7, delete "and." In line 8, after "system," insert -- , and wherein a position of the drive tool relative to the elongated member indicates if the body has been coupled to the elongated member--.

In claim 70, line 4, delete "and." In lines 7 and 8, delete "wherein the longitudinal axis of the cam system is angled at an angle between 40° and about 90° with respect to the longitudinal axis of the body" and insert --and a vibrational indicator that informs a user that the cam system is engaged--.

Do not cancel claim 79. That is, in claim 79, insert --The connector of claim 70, wherein the longitudinal axis of the cam system is angled at an angle between 40° and about 90° with respect to the longitudinal axis of the body. --.

Cancel claims 37, 38, 58, 85, 284, and 285.

3. The following is an examiner's statement of reasons for allowance: None of the prior art of record, alone or in combination, discloses, inter alia, a connector with a body, an engager, a cam system, and a first opening in the body for holding an elongated member, where the connector includes a vibrational and/or a drive tool visual indicator that the cam system is engaged with an elongated member coupled to the body and where a fastening system for sections of the connector body comprises a collet and a collar.

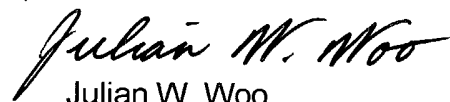
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Mellinger et al. (5,624,442) teach a transverse connector for connecting elongated members.
5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Julian W. Woo whose telephone number is 703-308-0421. The examiner can normally be reached on M-F, 6:30-4:00, Alt. Fridays Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ms. McDermott or Mr. Shaver can be reached on 703-308-0858. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Julian W. Woo  
Primary Examiner  
Art Unit 3731

August 11, 2004